

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Water Resources Department- Sanction of prosecution orders under section 199 (4) (b) of the Code of Criminal Procedure, 1973 for filing complaint by the Public Prosecutor in a competent court of Law against the Managing Director, Printer & Publisher, Editor and the Bureau Chief of Eenadu News Paper for publishing baseless, untenable and false news in Eenadu Main Newspaper on 12.05.2023 as banner news item with the caption "పోలవరం..జగమంత వైఫల్యం" - Accorded -Orders Issued.

WATER RESOURCES (PROJECTS.I) DEPARTMENT

G.O.Rt.No:381

Dated:28/08/2023
Read the following:

1. News item published in Eenadu Main Newspaper dated.12.05.2023.
2. G.O.Rt.No. 2430, G.A (I&PR) Department, Dated: 30.10.2019.
3. Notice dated: 20.07.203 given by the State Public Prosecutor, High Court of Andhra Pradesh, Amaravathi.

ORDER:

In the reference 1st read above, defamatory news item has been published in the Eendu Newspaper with the caption "పోలవరం..జగమంత వైఫల్యం Polavaram jagamantha vaiphalyem" in headlines published on 12.05.2023, which is Libellous, scandalous, untruthful, unfounded, per se defamatory, derogatory news and the newspaper contains several false allegations and statements and is based on a wholly erroneous understanding and interpretation of the facts relating to the Project, which has caused enormous prejudice to the Government and damaged the reputation and integrity in the eyes of public. After considering the above facts, it is evident that a deliberate act to tarnish the image of the Government by publishing false news article which read as whole is per se defamatory in nature, and the same was published without factually ascertaining the truth before publishing the same.

2. After having examined the matter with reference to above mentioned subject matter and with reference to the orders issued in G.O.2nd read above, wherein powers have been delegated to the Secretaries of respective department to issue rejoinders, file complaints and lodge appropriate cases through Public Prosecutor against defamatory news items published/telecast/posted in print/ electronic social media pertaining to their respective Departments after following due procedure of Law, Legal action is being taken against the concerned.

3. In the reference 3rd read above, the State Public Prosecutor, Hon'ble High Court of Andhra Pradesh, Amaravati has issued a legal notice to demanded that on receipt of this legal notice, the Managing Director of Eenadu Telugu Daily Newspaper immediately publish an unconditional apology for the publication filed on 12-05-2023 in reference to the per se defamatory caption.

(p.t.o)

4. After careful examination of the matter and all the facts and circumstances of the case, the said news item containing the allegations under the above said caption against the Water Resources Department, whose reputation is paramount, and the said news article is intended to harm and besmirch the fair name and reputation of the Andhra Pradesh Water Resources Department and the concerned Government officials. It is just and necessary to launch necessary criminal prosecution against the Managing Director of Eenadu Telugu Daily Newspaper and the concerned Editor and other persons responsible for Selection of the news article and publishing the same in the above referred Newspaper.

5. In exercise of the powers conferred under section 199 (4) (b) of the Code of Criminal Procedure, 1973 sanction is hereby accorded to launch criminal prosecution for defamation under section 199 (2) against the Managing Director of Eenadu Telugu Daily Newspaper and Journalists responsible for selection and contribution of the same, in view of the libellous, scandalous, untruthful, unfounded, per se defamatory, derogatory nature of the news item published in Eenadu Daily Newspaper dt.12.05.2023 as a banner news item with the caption "పోలవరం...జగమంత వైఫల్యం Polavaram jagamantha vaiphalyem".

6. The State Public Prosecutor, Hon'ble High Court of Andhra Pradesh shall take immediate further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

The State Public Prosecutor, High Court of Andhra Pradesh, Amaravati.

Copy to:

The Engineer-in-Chief(Irrigation), Water Resources Department, Vijayawada,

The Chief Engineer, Polavaram Irrigation Project, Dowlaiswaram.

The Law(A) Department.

The OSD to Minister for Water Resources Department,

The PS to Chief Secretary to Government,

The PS to Principal Secretary to Govt., (WRD)

File.ICD01-MJIR01C28/96/2023-PROJECTS-I,Computer.no.2172900.

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//FORWARDED::BY ORDER//


SECTION OFFICER